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OCT 28 2005  
PATENT & TRADEMARK OFFICE

Attorney Docket No.: 084532-000000US  
Client Ref. No.: AJS:JK:FP21157

10/525/50

Rec'd PCT 28 OCT 2005

PTO/SB-01A (09-04)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	MARKER FOR CANCER
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. PCT/AU2003/001058, filed on August 20, 2003, and
- ☒ Application No. \_\_\_\_\_, filed on February 18, 2005
- ☒ as amended on February 18, 2005 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Nuzhat Ahmed

Date: X 5/5/05

Signature: X [Signature]

Citizen of: Australia

Inventor two: Gregory Rice

Date: X 13-6-05

Signature: X [Signature]

Citizen of: Australia

Inventor three: Michael Quinn

Date: X 5/5/05

Signature: X [Signature]

Citizen of: Australia

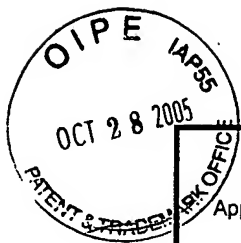
Inventor four: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.



10/523/50  
Rec'd PGT/PTO 28 OCT 2005

PTO/SB/96 (08-03)

Attorney Docket No.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Nuzhat Ahmed, Gregory Rice, Michael Quinn

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: February 18, 2005

Entitled: MARKER FOR CANCER

ROYAL WOMEN'S HOSPITAL, a \_\_\_\_\_

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%
- in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X 11-8-05

Date

613-9344-2982

Telephone number

X Gregory Bowman Rice

Typed or printed name

X [Signature]

Signature

Scientific Director

Title

WHEREAS, **Nuzhat Ahmed** of 33 Tom Roberts Crescent, Yallambie, Victoria, 3085 Australia; **Gregory Rice** of 23 Braden Brae Drive, Warranwood, Victoria, 3134 Australia; and **Michael Quinn** of 4/28 Groom Street, Clifton Hill, Victoria, 3068 Australia, hereinafter referred to as “Assignors,” are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Application No.: \_\_\_\_\_; and

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignees, and Assignees' successors and assigns, all their right, title and interest in and to the said invention and application, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignees as fully and exclusively as it would have been held and enjoyed by said Assignors had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: X 5/5/05

SIGNATURE WITNESSED BY:

Dated: X 5/5/05

Dated: X 5/5/05

Dated: 13-04-2005

SIGNATURE WITNESSED BY:

Dated: X 13/04/05

Dated: X 13/04/05

X Ahmed  
Nuzhat Ahmed

X [Signature]  
Signature of Witness

X CLYDE RILEY  
Printed Name

X K. Oliva  
Signature of Witness

X KAREN OLIVA  
Printed Name

[Signature]  
Gregory Rice

X [Signature]  
Signature of Witness

JUDITH HERSCHEL  
Printed Name

X [Signature]  
Signature of Witness

Julene V HALL  
Printed Name

Dated: X 5/5/05

**SIGNATURE WITNESSED BY:**

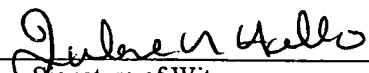
Dated: X 5/5/05

Dated: X 5/5/05

X   
Michael Quinn

X   
Signature of Witness

X JUDITH HERSCHEN  
Printed Name

X   
Signature of Witness

X Suzanne V Hacco  
Printed Name